

Appl. No.: 10/711,190  
Amendment dated January 8, 2008  
Reply to Office Action of October 17, 2007

### REMARKS/ARGUMENTS

The office action of October 17, 2007, has been carefully reviewed and these remarks are responsive thereto. Claims 1, 6, 9, 11-14, and 16-20 have been amended. New claims 21-26 have been added. No new matter has been added. Claims 5 and 15 have been canceled. Claims 1-4, 6-14, and 16-26 thus remain pending. Reconsideration and allowance of the instant application are respectfully requested.

#### ***Rejections under judicially created doctrine of obviousness-type double patenting***

Claims 1-20 stand rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-22 of U.S. Patent No. 6,832,353 to Itavaara et al. However, the Office Action's only argument as to why the claims are patentably indistinct is because they both recite allegedly *similar* passages. However, one cannot demonstrate that two claims are patentably indistinct based on their similarities; instead, it is the *differences* between claims that must be considered. The Office has failed to "determine the differences between the scope and content of the patent claim ... and the claim in the application at issue" as is required under the *Graham v. John Deere Co.* factual inquiries. See MPEP § 804(II)(B)(1). Applicants therefore maintain that all claims are patentably distinct from the claims of U.S. Patent 6,832,353.

#### ***Rejections Under 35 U.S.C. § 102***

Claims 1, 3-11, and 13-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. publ. no. 2004/0174400, hereinafter Herigstad. Applicants respectfully traverse.

Applicants have amended independent claims 1 and 11 to recite that the sections of the web page are based on preexisting logical divisions found in the web page, and wherein the preexisting logical divisions are unrelated to the mapping process. Support for the claim amendments may be found in the specification as filed, e.g., at paragraph [0034]. Herigstad does not teach or suggest such a feature. Indeed, Herigstad's only discussion of web pages occurs within paragraph [0046], which states:

Appl. No.: 10/711,190

Amendment dated January 8, 2008

Reply to Office Action of October 17, 2007

sequence of characters or keys. The settop box 204 contains a processor 212 upon which a web browser 214 may operate to render web pages 216 on a television 206. The display in the television 206 is presumed in the illustrative embodiment to be partitioned into logical regions, as has been discussed above. For the example depicted in FIG. 12, the television 206 has a display that is partitioned into nine regions associated with the nine buttons. This is intended to be merely illustrative and not limiting of the present invention. The processor 212 may also have access to pages of content 216. These may be HTML pages, XML pages or pages in a suitable content for rendering on the television 206 by the settop box 204. Various application programs 218

As is plainly evident, Herigstad does not teach or suggest dividing a web page on the basis of preexisting logical divisions unrelated to the mapping process, as claimed. Claims 1 and 11 are therefore allowable at least for this reason. Dependent claims 2-4, 6-10, 12-14, and 16-20 are also allowable at least based on the allowability of their respective base claims.

### ***Rejections Under 35 U.S.C. § 103***

Claims 2 and 12 stand rejected 35 U.S.C. § 103(a) as being unpatentable over Herigstad in view of U.S. Patent No. 6,516,202, hereinafter Hawkins. Applicants respectfully traverse.

Claims 2 and 12 are allowable at least for the same reasons as their respective base claims, and further in view of the features recited therein, because Hawkins does not cure the aforementioned deficiencies of Herigstad.

### ***New Claims***

New claims 21-26 have been added. Support for the new claims can be found in the specification as filed. No new matter has been added. Claims 21-23 are directed to an apparatus that maps web pages based on preexisting logical divisions of the web page unrelated to the keypad mapping, and then serves the web pages to a second device. Claims 24-26 are directed to one or more computer readable media storing instructions to map a web page based on

Appln. No.: 10/711,190  
Amendment dated January 8, 2008  
Reply to Office Action of October 17, 2007

preexisting logical divisions of the web page unrelated to the keypad mapping. Claims 21-26 are therefore allowable for at least the same reasons as discussed above.

### CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: January 8, 2008

By: /Ross Dannenberg/

Ross A. Dannenberg  
Registration No. 49,024  
1100 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20005-4051  
Tel: (202) 824-3000  
Fax: (202) 824-3001